AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listing, of claims in the application.

1. (Currently Amended) A method of selecting preferred video segments and excluding unwanted video segments from a plurality of video segments within a video stream comprising:

encoding markers within said video stream, said markers having a position in said video stream that indicates a division between said plurality of video segments of said video stream;

encoding tags within said video stream that indicate content of each video segment, said tags comprising selected key words and rating information relating to the content of ~~said~~ each video ~~stream~~ segment based on information from an electronic program guide and rating information of each video segment;

using video preference information of said viewer to select said preferred video segments and exclude said unwanted video segments by comparing said key words and said rating information of each video segment with said video preference information of said viewer; and

inserting alternate video segments to replace said unwanted video segments if said comparison of said keywords or said rating information with said video preference information of said viewer is unfavorable.

2. (Canceled).

3. (Previously presented) The method of claim 1 wherein the step of encoding tags within said video stream and the step of encoding markers within said video stream comprise encoding tags and markers manually by use of a computer within said video stream.

4. (Previously presented) The method of claim 1 wherein the step of encoding tags within said video stream and the step of encoding markers within said video stream comprise encoding tags and markers automatically by use of voice recognition techniques.

5. (Previously presented) The method of claim 1 wherein said step of encoding markers within said video stream and the step of encoding tags within said video stream comprise automatically encoding said markers and said tags within said video stream based upon detection of change of scenes.

6. (Previously presented) The method of claim 1 wherein said step of selecting preferred video segments and excluding said unwanted video segments within said video stream comprises comparing key words that are input by said viewer with the key words that have been placed within said video stream.

7. (Previously presented) The method of claim 1 wherein said step of encoding tags within said video stream comprises placing information from an Electronic Programming Guide into said video stream.

8. (Previously presented) The method of claim 1 wherein said step of encoding said tags within said video stream and said step of encoding said markers within said video stream further comprises placing said tags and said markers in a vertical blanking interval within said video stream.

9. (Canceled).

10. (Original) The method of claim 1 wherein said step of excluding said video segments comprises eliminating said excluded video segment in said video stream and proceeding to a selected video segment.

11. (Original) The method of claim 1 wherein said step of excluding said video segments comprises selecting said alternate video that replaces said excluded video segment.

12. (Original) The method of claim 1 wherein said step of excluding said video segments further comprises displaying a blank slate during an excluded video segment.

13. (Original) The method of claim 1 wherein said step of selecting and excluding video segments in a video stream further comprises selecting and excluding video segments in video games.

14. (Currently Amended) A method of excluding unwanted video segments from a plurality of video segments within a video stream comprising:

encoding markers within said video stream, said markers having a position in said video stream that indicates a division between said plurality of video segments of said video stream;

encoding tags within said video stream that indicate content of each video segment, said tags comprising selected key words and rating information relating to the content of ~~said~~ each video ~~stream~~ segment based on information from an electronic program guide and rating information of each video segment;

using video preference information of said viewer to exclude said unwanted video segments by comparing said key words and said rating information of each video segment with said video preference information of said viewer; and

storing said unwanted video segments in local storage if said comparison of said keywords or said rating information of each video segment with said video preference information of said viewer is unfavorable.

15. (Currently Amended) A method of selecting preferred video segments and excluding unwanted video segments from a plurality of video segments within a video stream comprising:

encoding markers within said video stream, said markers having a position in said video stream that indicates a division between said plurality of video segments of said video stream;

encoding tags within said video stream that indicate content of each video segment, said tags comprising selected key words and rating information relating to the content of ~~said~~ each video ~~stream~~ segment based on information from an electronic program guide and rating information of each video segment;

storing ~~said~~ preferred video content at said viewer's premises in local storage;

using video preference information of said viewer to select said preferred video segments and exclude said unwanted video segments by comparing said key words and said rating information of each video segment with said video preference information of said viewer;

downloading said preferred video segments from said video content stored in said local storage for viewing by said viewer; and

inserting said downloaded preferred video segments to replace said unwanted video segments if said comparison of said keywords or said rating information with said video preference information of said viewer is unfavorable.

16. (Currently Amended) A method of selecting preferred video segments and excluding unwanted video segments from a plurality of video segments within a video stream comprising:

encoding markers within said video stream, said markers having a position in said video stream that indicates a division between said plurality of video segments of said video stream;

encoding selected key words and rating information within said video stream that indicate content of each video segment based on information from an electronic program guide and rating information of each video segment;

comparing said key words and said rating information of each video segment with viewer preference information to select said preferred video segments and exclude said unwanted video segments;

storing said preferred video segments and said unwanted video segments in local storage; and

inserting said preferred video segments to replace said unwanted video segments if said comparison of said keywords or said rating information with said video preference information of said viewer is unfavorable.

17. (Currently Amended) A method of selecting preferred video segments from a plurality of video segments in a video stream comprising:

encoding markers within said video stream, said markers having a position in said video stream that indicates a division between said plurality of video segments of said video stream;

encoding selected key words and rating information within said video stream that indicate content of each video segment based on information from an electronic program guide and rating information of each video segment;

using video preference information of said viewer to select said preferred video segments by comparing said key words and said rating information of each video segment with said video preference information of said viewer; and

storing said preferred video segments in local storage if said comparison of said key words or said rating information of each video segment with said video preference information is favorable.

18. (Currently Amended) A method of excluding unwanted video segments from a plurality of video segments within a video stream comprising:

encoding markers, said markers having a position in said video stream that indicates a division between said plurality of video segments of said video stream;

encoding selected key words and rating information within said video stream that indicate content of each video segment based on information from an electronic program guide and rating information of each video segment;

using video preference information of said viewer to exclude said unwanted video segments by comparing said key words and said rating information of each video segment with said video preference information of said viewer; and

storing said excluded video segments in local storage if said comparison of said keywords or said rating information of each video segment with said video preference information is unfavorable.

19. (Currently Amended) A system for selecting preferred video segments from a plurality of video segments in a video stream to create a selected video stream to be viewed by a viewer comprising:

an encoder that encodes said video stream with tags and markers to generate an encoded video stream said tags comprising selected key words relating to the content of said encoded video stream and rating information based on information from an electronic program guide and rating information of each video segment;

a set-top box that receives said encoded video stream and separates said tags and said markers from said encoded video stream to generate an un-encoded video stream and separated tags and separated markers;

~~a video database, coupled to said set-top box, that stores said un-encoded video stream;~~

a comparator, coupled to said set-top box, that receives said separated tags and said separated markers and viewer preferences and compares said key words of said tags with said viewer preferences to generate pointers[[,]] that point to locations of video segments in ~~said~~ a video database, and that select said preferred video segments from said video database and that exclude deselected video segments to generate ~~said~~ a selected video stream; and

[[a]] the video database, coupled to said set-top box, that receives and stores said un-encoded video stream from said set-top box as video segments and that further

receives said pointers from said comparator and uses said pointers to identify stored video segments that are authorized to be viewed and that further generates a selected video stream including said authorized video segments.

20. (Original) The system of claim 19 further comprising:

a personal video recorder coupled to an input of said set-top box that filters said video stream to provide said video segments to be viewed by said viewer.

21. (Previously presented) The system of claim 19 wherein said set-top box further comprises:

a video blanking interval decoder that separates said tags and said markers from said encoded video stream.

22. (Original) The system of claim 19 wherein said set-top box further comprises:

a filter/switch that uses comparison data to select and exclude said un-encoded video stream.

23. (Original) The system of claim 19 wherein said tags comprise content data relating to said video segment.

24. (Canceled).

25. (Previously presented) The system of claim 19 wherein said markers and said tags are encoded as analog data in said video stream to generate said encoded video stream.

26. (Previously presented) The system of claim 19 wherein said markers and said tags are encoded as digital data in said video stream to generate said encoded video stream.

27-28. (Canceled).

29. (Previously presented) The system of claim 19 wherein said markers are inserted into said video stream to indicate the division between said video segments and said tags are inserted into said video stream to indicate content of each video segment by automatic detection of changes in flesh tone within said video stream.

30. (Previously presented) The system of claim 19 wherein said markers are inserted into said video stream to indicate the division between said video segments and said tags are inserted into said video stream to indicate content of each video segment by automatic detection of changes in audio levels within said video stream.

31. (Previously presented) The system of claim 19 wherein said markers are inserted into said video stream to indicate the division between said video segments and said tags are inserted into said video stream to indicate content of each video segment by automatic detection of changes in light levels within said video stream.

32. (Previously presented) The system of claim 19 wherein said markers are inserted into said video stream to indicate the division between said video segments and said tags are inserted into said video stream to indicate content of each video segment by automatic detection of changes in color within said video stream.

33. (Original) The system of claim 19 wherein said markers are inserted into said video stream to indicate the division between video segments by applying voice recognition software to said video stream.

34. (Previously presented) The system of claim 19 wherein said markers are inserted into said video stream to indicate the division between said video segments

and said tags are inserted into said video stream to indicate content of each video segment by automatic detection of changes in music within said video stream.

35. (Previously presented) The system of claim 19 wherein said markers are inserted into said video stream to indicate the division between said video segments and said tags are inserted into said video stream to indicate content of each video segment by automatic detection of changes in scenery within said video stream.

36. (Previously presented) The system of claim 19 wherein said plurality of video segments in said video stream comprise a live broadcast signal that is sent to said set-top box at a viewer's premises.

37. (Previously presented) The system of claim 19 wherein said plurality of video segments in said video stream comprise a delayed signal that is sent to said set-top box at a viewer's premises.

38. (Original) The system of claim 19 further comprising a viewer personalized remote control that transmits said video preference information to said system and receives information from said system.

39. (Currently Amended) A system for selecting preferred video segments and excluding unwanted video segments from a plurality of video segments in a video stream comprising:

a personal video recorder coupled to an input of a set-top box that filters said video stream based on a viewer's habits and preferences to provide said video segments to be viewed by said viewer;

an encoder that encodes said video stream with tags and markers to generate an encoded video stream, said tags comprising selected key words relating to the content of said video stream and rating information based on information from an electronic program guide and rating information of each video segment;

the set-top box that receives said encoded video stream and separates said tags and said markers from said encoded video stream to generate an un-encoded video stream and separated tags and separated markers;

~~a video database, coupled to said set-top box, that stores said un-encoded video stream;~~

a comparator, coupled to said set-top box, that receives said separated tags and said separated markers and viewer preferences and compares said keywords with said viewer preferences to generate pointers[[,]] that point to locations of video segments in ~~said~~ a video database, and that select said preferred video segments from said video database to generate a selected video stream and that exclude said unwanted video segments from said video database; and

the video database, coupled to said set-top box, that receives and stores said un-encoded video stream from said set-top box as video segments and that further receives said pointers from said comparator and uses said pointers to identify stored video segments that are authorized to be viewed and that further generates a selected video stream including said authorized video segments.

40-41. (Canceled).

42. (Currently Amended) A system for selecting one of an encoded regular video stream, that has been encoded with tags and markers, and an encoded alternate video stream that has been encoded with tags and markers comprising:

a video blanking interval decoder that receives said encoded regular video stream and that separates said tags and said markers from said encoded regular video stream to create separated tags and separated markers for each video segment of said encoded broadcast video and to create an un-encoded broadcast video, said tags comprising selected key words relating to the content of said video stream based on information from an electronic program guide and rating information of each video segment;

a storage device that stores viewer preferences of a viewer;

a comparator, coupled to said video blanking interval decoder, that receives said separated tags and said separated markers and said viewer preferences and compares said tags with said viewer preferences to generate tag comparison data to select one of said encoded regular video stream and said encoded alternate video stream;

~~a storage device, coupled to said comparator, that stores said viewer preferences of said viewer;~~

a filter/switch, coupled to said comparator and said video blanking interval decoder, that uses said tag comparison data to generate a request signal for said alternate video segments;

a back channel that receives the request signal for said alternate video segments; and

a video-on-demand system that receives said request signal for said alternate video segments over said back channel and sends said alternate video segments to said filter/switch for output to a display device.

43. (Original) The system of claim 42 further comprising a video content provider that generates said regular broadcast video stream and said alternate video stream comprising:

a video stream source that generates multiple video sources;

a controller that generates control signals;

a switcher, coupled to said controller, that receives said control signals from said controller and generates said broadcast video stream and said alternate video stream.

44. (Original) The system of claim 43 wherein said video stream source comprises studio cameras that generate video streams.

45. (Original) The system of claim 43 wherein said video stream source comprises a video tape bank.

46. (Original) The system of claim 43 wherein said video stream source comprises a receiver that receives a remote video stream from a remote source.

47. (Original) The system of claim 43 further comprising:

a marker generator that generates markers;

a computer that generates custom tag information;

voice recognition software, coupled to said computer, that generates said custom tag information;

a remote control that generates said custom tag information;

a keyboard that generates said custom tag information;

tag storage that stores said custom tag information.

48. (Original) The system of claim 47 further comprising:

a video blanking interval encoder, coupled to said marker generator and said computer and said remote control and said keyboard and said voice recognition software and said tag storage, that receives said markers and said tags and said broadcast video stream and said alternate video stream from said switcher, and that encodes said broadcast video stream and said alternate video stream with said markers and said tags to generate an encoded broadcast video stream and an encoded alternate video stream that are sent to a headend.

49. (Original) The system of claim 43, wherein said alternate video stream comprises an alternate selection of video that replaces excluded video segments.

50. (Original) The system of claim 42 further comprising an alternate video slate generator, coupled to said filter/switch, that generates an alternate video slate signal that is applied to said filter/switch.

51. (Canceled).

52. (Original) The system of claim 50 wherein said alternate video slate signal comprises a screen saver.

53. (Original) The system of claim 50 wherein said alternate video slate signal comprises wall paper.

54. (Original) The system of claim 50 wherein said alternate video slate signal comprises advertisements.

55. (Original) The system of claim 50 wherein said alternate video slate signal comprises standard displays.

56. (Currently Amended) The system of claim ~~51~~ 42 wherein said back channel is connected to an asymmetric system that uses standard telecommunications connections.

57. (Original) The system of claim 50 wherein said back channel comprises a cable.

58. (Original) The system of claim 42 further comprising a television monitor, coupled to said filter/switch, that receives said video segments from said filter/switch and displays said video segments.

59-60. (Canceled).

61. (Currently Amended) A method of selecting and excluding video segments in a video stream to be viewed by a viewer comprising:

placing encoded markers in said video stream that indicate the position of a division between said video segments of said video stream;

placing encoded tags in said video stream that indicate content of each video ~~stream~~ segment, said tags comprising selected key words and rating information relating to the content of ~~said~~ each video ~~stream~~ segment based on information from an electronic program guide and rating information of each video segment;

using video preference information of said viewer to select preferred video segments and exclude unwanted video segments by comparing said key words and said rating information of each video segment with said video preference information of said viewer; and

inserting alternate video segments that have been selected by said viewer to replace said unwanted video segments that have been excluded by said viewer if said comparison of said key words or said rating information with said video preference information is unfavorable.

62. (Currently Amended) The method of claim 61 wherein said step of ~~inserting said viewer preferences comprises inserting~~ using video preference information includes entering key words ~~that are~~ entered by said viewer that are compared to said ~~tags~~ key words or said rating information of each video segment to select and exclude said video segments.

63. (Currently Amended) A method of selecting preferred video segments and excluding unwanted video segments from a plurality of video segments within a video stream comprising:

encoding markers within said video stream by using voice recognition, said markers having a position in said video stream that indicates a division between said plurality of video segments of said video stream, ~~by using voice recognition~~;

encoding tags[[,]] that indicate content of each video segment[[,]] within said video stream by using voice recognition, said tags comprising selected key words and rating information relating to the content of ~~said~~ each video ~~stream~~ segment based on information from an electronic program guide and rating information of each video segment;

using video preference information of said viewer to select said preferred video segments and exclude ~~said~~ unwanted video segments by comparing said key words and said rating information of each video segment with said video preference information of said viewer; and

inserting alternate video segments that have been selected by said viewer to replace said unwanted video segments that have been excluded by said viewer if said comparison of said key words or said rating information with said video preference information is unfavorable.

64. (Currently Amended) A method of selecting preferred video segments and excluding unwanted video segments from a plurality of video segments within a video stream comprising:

encoding markers within said video stream during live transmission of said video stream that indicate the position of a division between said plurality of video segments of said video stream;

encoding tags within said video stream during live transmission of said video stream that indicate content of each video segment, said tags comprising selected key words and rating information relating to the content of ~~said~~ each video ~~stream~~ segment based on information from an electronic program guide and rating information of each video segment;

using video preference information of said viewer to select said preferred video segments and exclude said unwanted video segments by comparing said key words and said rating information of each video segment with said video preference information of said viewer; and

inserting alternate video segments that have been selected by said viewer to replace said unwanted video segments that have been excluded by said viewer if said comparison of said key words or said rating information with said video preference information is unfavorable.

65. (Currently Amended) A system for selecting preferred video segments from a plurality of video segments in a video stream in real time to create a selected video stream to be viewed by a viewer comprising:

an encoder that automatically encodes said video stream during live transmission of said video stream with tags and markers to generate a live encoded video stream, said tags comprising selected key words relating to the content of said video stream based on information from an electronic program guide;

a set-top box that receives said live encoded regular video stream and that separates said tags and said markers from said live encoded regular video stream to create separated tags and separated markers for each video segment of said live encoded regular video stream and to generate an un-encoded video stream, said tags comprising selected key words relating to the content of said video stream based on information from an electronic program guide and rating information of each video segment;

a video database, coupled to said set-top box, that stores said un-encoded video stream;

a storage device that stores viewer preferences of a viewer;

a comparator, coupled to said set-top box, that receives said separated tags and said separated markers and said viewer preferences and compares said key words with said viewer preferences to generate pointers that point to locations of video segments in said video database for selecting said preferred video segments from said video database to generate said selected video stream;

a filter/switch, coupled to said comparator and said video blanking interval decoder, that uses said generated pointers to request said preferred video segments;

a back channel that receives the request signal for said preferred video segments; and

a video-on-demand system that receives said request signal for said preferred video segments over said back channel and sends said preferred video segments to said filter/switch for output to a display device.

66. (Previously presented) The system of claim 19 wherein said tags and said markers are encoded within said video stream by using voice recognition.

67. (Previously presented) The system of claim 19 wherein said tags and said markers are encoded within said video stream by automatic detection of changes in flesh tone and music within said video stream.

68. (Previously presented) The method of claim 1 wherein said step of encoding tags within said video stream and said step of encoding markers within said video stream compromise encoding tags and markers automatically by detecting changes in flesh tone and music within said video stream.

69. (Canceled).

70. (Previously presented) The method of claim 14 wherein said step of using video preference information of said viewer to select said preferred video segments and exclude said unwanted video segments further comprises inserting alternate video segments that replace said unwanted video segments that have been excluded by said viewer.

71. (Canceled).